

# S U M M A R Y   A C T I O N   M I N U T E S



## REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

*Tuesday, November 23, 1999, 9:30 A.M.*

BOARD HEARING ROOM, FIRST FLOOR  
10 Civic Center Plaza  
Santa Ana, California

**CHARLES V. SMITH**  
CHAIRMAN

**THOMAS W. WILSON**  
VICE CHAIRMAN  
Fifth District

**TODD SPITZER**  
SUPERVISOR  
Third District

**JAMES W. SILVA**  
SUPERVISOR  
Second District

**CYNTHIA P. COAD**  
SUPERVISOR  
Fourth District

ATTENDANCE: All present

EXCUSED:

PRESENT:	COUNTY EXECUTIVE OFFICER	Janice M. Mittermeier
	COUNTY COUNSEL	Laurence M. Watson
	CLERK OF THE BOARD	Susan Novak, Assistant

INVOCATION: Supervisor Spitzer, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Wilson, Fifth District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Supervisor Coad presented a resolution to Orange County Rescue Mission

Supervisor Silva recognized the County's Volunteer Program

James F. McConnell, Washington Legislative Advocate, presented legislative update

### **II. CONSENT CALENDAR (Items 1-52)**

34251 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 19 AND 43 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; ITEMS 46 - 51 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA; AND ITEM 52 WHICH WAS DELETED.**

# S U M M A R Y   A C T I O N   M I N U T E S

## **BOARD APPOINTMENTS**

### **Supervisor Spitzer:**

1. Protocol Commission - Reappoint Eva Schneider, Fullerton for term ending 11/27/01
2. Foothill/Trabuco Specific Plan Review Board - Reappoint Raymond C. Mills, Santa Ana to complete term ending 6/30/01
3. Foothill Trabuco Specific Plan Review Board - Appoint Stephen Nordeck, Trabuco Canyon to complete term ending 6/30/01
4. **Supervisor Wilson** - Waste Management Commission - Appoint Greg Smith, Irvine to complete term ending 11/18/00

## **DEPARTMENT APPOINTMENTS**

5. **Health Care Agency** - Food Sanitation Advisory Council - Appoint Boyd F. Jensen II, Riverside; Adam T. Johnson, Fullerton; Gary Parkinson, Yorba Linda; Howard Tobey, Walnut for indefinite terms - All Districts

## **COMMENDATIONS/PROCLAMATIONS**

### **Chairman Smith:**

6. Adopt resolution commending Clerk of the Board of Supervisors for receiving California State Association of Counties' 1999 Challenge Award R99-466
7. Adopt resolution commending Orange County Community Development Council, Inc. and to honor their volunteers and donors R99-467
8. Adopt resolution recognizing Robert C. Hiller for his outstanding service to John Wayne Airport R99-468
9. **Supervisor Spitzer** - Adopt resolution congratulating Right Reverend Doctor Samuel P. Scheibler, Archbishop of the Evangelical Anglican Church of America R99-469

## **COMMUNITY SERVICES AGENCY**

10. Approve amendment to increase Title IIC funds to City of Westminster to serve youth in West County regional area, FY 1999-00 (\$44,646) - All Districts
11. Approve agreement with Department of Education for Job Training Partnership Act CalWORKS State Education Coordination grant; and approve agreements with various providers to implement programs (\$307,220) - All Districts

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12. Approve agreement with Department of Education for Job Training Partnership Act School to Career State Education Coordination Grant; and approve agreements with various providers to implement programs (\$103,710) - All Districts
13. Approve amendment to agreement with Tomkinson & Associates to serve additional year-round youth participants and provide case management/job search services for youth and adults enrolled in Community Services Agency/Sheriff Transition Program, 7/1/99 - 6/30/00 (\$112,020) - All Districts

## **HEALTH CARE AGENCY**

14. Approve termination of lease with Anaheim-Magnolia, LLC for office space, Anaheim; approve lease with Bel-Alta Holdings, Inc for office space for Alcohol and Drug Abuse Program, Westminster and make California Environmental Quality Act findings - Districts 1 & 4
15. Adopt resolution approving agreement with California Mental Health Directors Association for mental health services provided to children and youth residing and receiving services in other counties; authorize transfer of Early and Periodic Screening, Diagnosis and Treatment State General funds from State Department of Mental Health to California Mental Health Directors Association to provide funding for Statewide Administrative Services Organization (\$75,440) - All Districts

R99-470

## **HOUSING AND COMMUNITY DEVELOPMENT**

16. Approve agreement KG99001 with Orange County Conservation Corps, Inc. for cleanup and rehabilitation as part of County Islands Program (\$50,000); and approve related budget adjustments - All Districts
17. Approve subordination of grant and regulatory agreement in favor of Plaza Patria Court, LTD's permanent lender, Banc One; authorize Director of Housing and Community Development or designee to execute said agreements - District 2

## **JOHN WAYNE AIRPORT**

18. Approve agreement with UMA Engineering, Inc. for stabilization of the Bristol Street slope (\$57,948) - District 5

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- 19 .      Select option for taxicab service to either approve solicitation of proposals for two companies to provide taxicab service and set 1/5/00 at 2:00 p.m., to receive proposal packages (PM 1121-380-3); and return to the Board in February, 2000 with recommendations for proposal selection and award of agreement or extend A Taxi Cab's agreement for six months; and direct staff to solicit proposals for two taxicab operators and return to Board in August 2000 with recommendations for award of contract - District 5
- 52341      **SELECTED OPTION 1 WITH MODIFICATIONS TO (1.1) TO APPROVE ISSUANCE OF REQUEST FOR PROPOSAL FOR SERVICE UNDER CONDITIONS OF EITHER ONE OR TWO COMPANIES PROVIDING TAXICAB SERVICE; TO (1.3) TO DIRECT JOHN WAYNE AIRPORT (JWA) TO RETURN TO THE AIRPORT COMMISSION AND THEN TO THE BOARD IN FEBRUARY 2000 WITH AN ISSUE PAPER ON COMPETITIVE TAXICAB SERVICE AT AIRPORTS SIMILAR TO JWA, THE PROS AND CONS OF SUCH CHANGES AT JWA, AND DATA ANALYZING THE ABILITY FOR JWA TO ACCOMMODATE ONE OR TWO TAXICAB COMPANIES; AND AN ADDITIONAL ACTION TO ESTABLISH FOUR YEARS AS THE MAXIMUM AGE FOR TAXICABS SERVING JWA**

## **ORANGE COUNTY PUBLIC LIBRARY**

- 20 .      Approve submission of grant application to California State Library and acceptance of funds for Music and Song Access via OCLC Project for Cypress Branch, FY 1999/00 (\$67,240) - District 2 (R.A. 2, 4/5 vote)
- 21 .      Approve submission of Gates Library Initiative Public Library Grant application under Accelerated Grant Program for Large Libraries for purchase of public access personal computers and laser printers - Districts 1, 2 & 5

## **PLANNING AND DEVELOPMENT SERVICES**

- 22 .      Authorize release of security for library fees, Irvine Company, San Joaquin Hills Planned Community Library - District 5
- 23 .      Authorize release of security for library and fire fees, Laguna Niguel Properties, Laguna Niguel - District 5

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

- 24 .      Approve purchase of office trailer from Mobile Modular, Thomas Riley Wilderness Park (\$58,980.94) and approve related budget adjustments - District 5
- 25 .      Approve plans and specifications and set bid opening for 12/29/99, 2:00 p.m., for replacement of Courthouse parking lot lights and standards on Crown Valley Parkway, South Justice Center, Laguna Niguel - District 5
- 26 .      Approve agreement with the Navy, California State Historic Preservation Officer and Advisory Council on Historic Preservation as an invited signatory for improvements and preservation of Historic Blimp Hangar, MCAS Tustin -District 5 (Continued from 9/14/99, Item 28; 9/21/99, Item 9; 10/05/99, Item 17; 10/19/99, Item 14; 11/02/99, Item 23)
- 27 .      Approve amended agreement S1097-2556 with Taylor Woodrow Homes, Inc. for change of ownership and substitution of security, Tract 15079, Newport Coast area; accept American Insurance Company

Faithful Performance and Labor and Material bonds (\$868,000 and \$336,000) and monumentation bond (\$34,000) for completion and payment of improvements; and approve release of bonds provided by Irvine Community Development Company - District 5

- Acting as the Orange County Flood Control District:**

- ## PUBLIC PROTECTION

- Probation:**

- MINUTES - BOARD OF SUPERVISORS' MEETING, TUESDAY, NOVEMBER 23, 1999 - PAGE 5

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- 39 .            Approve price agreement N1000002272 with Academy of Justice for Standard and Training for Corrections classes, 11/1/99 - 10/31/00 (\$45,000); renewable for two additional years - All Districts

## **Sheriff-Coroner:**

- 40 .            Approve price agreement N1000002278 with Exterminetics of Southern California, Inc. for insect, pest and rodent control services at various locations, 12/01/99 - 11/30/04 (\$14,580 per year) - All Districts
- 41 .            Adopt resolution approving agreements with U.S. Department of Justice for Federal Equitable Sharing Program, 7/1/99 - 9/30/02, and FY 1998-99 certification reports for narcotics forfeiture assets - All Districts R99-472
- 42 .            Approve lease agreement S1000000223 with GTE Communications Corporation for lease/purchase of telecommunications network, James A. Musick Jail, 12/1/99 - 11/30/04 (\$85,921) - District 5

## **GENERAL ADMINISTRATION**

### **County Executive Office:**

- 43 .            Approve Goldman Sachs as dealer manager for Pension Obligation Bonds Tender Program; direct staff to negotiate agreement and return to the Board for approval - All Districts
- 53241           **APPROVED AS RECOMMENDED**
- 44 .            Approve price agreement N10000002354 with Nelson Janitorial Services for janitorial services, County Operations Center, Santa Ana, 12/01/99 - 11/30/00 (\$57,072) renewable for two additional years; and make appropriate findings - District 1
- 45 .            **Registration/Elections** - Declare election results of November 2, 1999 Rancho Santa Margarita Incorporation Election - All Districts

### **Chairman Smith:**

- 46 .            Approve Community Social Program Grant funds to Stop Short of Addiction; approve budget adjustments and make appropriate findings, 11/9/99 - 6/30/00 (\$5,000)
- 34512           **APPROVED AS RECOMMENDED**  
N
- 47 .            Approve Community Social Program Grant funds to Shortstop; approve budget adjustments and make appropriate findings, 11/09/99 - 6/30/00 (\$5,000)
- 34512           **APPROVED AS RECOMMENDED**  
N

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- 48 .                    Approve Community Social Program Grant funds to California Manufacturing Technology Center; approve budget adjustments and make appropriate findings, 11/09/99 - 6/30/00 (\$10,000)

34512                    **APPROVED AS RECOMMENDED**  
N

- 49 .                    Approve Community Social Program Grant funds to Santa Ana Historical Preservation Society; approve budget adjustments and make appropriate findings, 11/09/99 - 6/30/00 (\$1,000)

34512                    **APPROVED AS RECOMMENDED**  
N

## **Supervisor Coad:**

- 50 .                    Approve Community Social Program Grant funds to YMCA of Orange County, Yorba Linda/Placentia Branch; approve budget adjustments and make appropriate findings, 11/23/99 - 1/31/00 (\$2,000)

34512                    **APPROVED AS RECOMMENDED**  
N

- 51 .                    Approve Community Social Program Grant funds to Anaheim Family YMCA; approve budget adjustments and make appropriate findings, 11/23/99 - 6/30/00 (\$15,000)

34512                    **APPROVED AS RECOMMENDED**  
N

- 52 .                    **Clerk-Recorder** - Approve purchase order PC 059 P0008105.00 with Time Trust, Inc. for conversion of recorded document images from a LISA format to a Standard TIFF format (\$140,190) and approve related budget adjustments - All Districts (R.A. 4, 4/5 vote)

34251                    **DELETED**

**END OF CONSENT CALENDAR**

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## III. DISCUSSION ITEMS (Items 53-72)

### COMMUNITY SERVICES AGENCY

53. Adopt resolution approving agreement W965819 with State of California, Employment Development Department for services to hard to serve welfare recipients and non-custodial parents of children receiving CalWORKS aid, 1999-00; authorize Director to accept increases or decreases that are unilaterally made by the State - All Districts R99-473
- 35241 **APPROVED AS RECOMMENDED**

### HEALTH CARE AGENCY

54. Adopt resolution approving agreement 99-79044 with State Department of Mental Health for Conditional Release Program, 7/1/99 - 6/30/00 (\$704,409) - All Districts R99-474
- 43251 **APPROVED AS RECOMMENDED**
55. Approve letter agreement with Orange County Superior Court of California for Office of Justice Drug Court Program services - All Districts
- 43251 **APPROVED AS RECOMMENDED**
56. Adopt resolution approving submission of Description of Proposed Expenditures with State Department of Health Services for California Healthcare for Indigents Program funds, FY 1999-00 - All Districts R99-475
- 42351 **APPROVED AS RECOMMENDED**

### JOHN WAYNE AIRPORT

57. Approve agreements with Ampco System Parking for operation of parking facilities and courtesy shuttle bus service; and make California Environmental Quality Act and other findings - District 5
- 53241 **APPROVED AS RECOMMENDED WITH MODIFICATION TO DIRECT STAFF TO DEVELOP AN INTERNAL EVALUATION AND REPORT TO ENSURE THE PROPOSED SAVINGS FROM AMPCO ARE REALIZED, IF NOT REALIZED OR ARE DIMINISHING, STAFF IS TO REPORT BACK TO BOARD OF SUPERVISORS FOR FURTHER DIRECTION**

### ORANGE COUNTY PUBLIC LIBRARY

58. Authorize pursuit of outside foundation funding for Lower Peters Canyon Branch Library; designate Irvine Ranch Headquarters Historic Park as site for the library and authorize negotiation of lease or other instrument with Public Facilities and Resources Department/Harbor Beaches and Parks - Districts 3 & 5
- 53241 **APPROVED AS MODIFIED TO INCREASE LIBRARY SIZE TO 10,000 SQUARE FEET**



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59. Approve delegation of authority for certification and acceptance of privately-owned subdivision improvements to Director or designee and approve other actions necessary to implement delegation - All Districts (Continued from 11/9/99, Item 28)

B.O. **CONTINUED TO 12/7/99, 9:30 A.M.**

60. Select Sverdrup CRSS as primary and Turner Construction Company as alternate architectural-engineering firms for design and maintenance services, Rancho Potrero Leadership Academy and authorize Director or designee to negotiate agreement for Board approval - District 3

35241 **APPROVED AS RECOMMENDED**

61. Select four contract administrator firms for various capital projects and authorize Director or designee to negotiate agreements for Board approval - All Districts

53241 **APPROVED AS RECOMMENDED**

## **SOCIAL SERVICES AGENCY**

62. Approve lease with New Alternatives, Inc. for interim care facility, Orange; and make California Environmental Quality Act findings - District 4

42351 **APPROVED AS RECOMMENDED**

## **PUBLIC PROTECTION**

### **Probation:**

63. Approve amended agreement with Community Service Programs, Inc. for provision of 8% Early Intervention Program intensive intervention services to include gang prevention/youth development services for County Islands Project, 12/01/99 - 11/30/00 (\$331,476); renewable for one year; authorize using County General Funds to defray cost of incentives, clothing and personal supplies that are to be provided to youths who participate in any Probation Youth and Family Resource Center Program; and approve increase to agreement N1000000319 with California State University Fullerton Foundation for community resource and planning support (\$75,000, new total \$142,696); renewable for third year - Districts 1, 2, 3, & 4

14235 **APPROVED AS RECOMMENDED**

64. Adopt resolution approving agreement 134-98 with State Board of Corrections for Juvenile Crime Enforcement and Accountability Challenge Grant II funds; and authorize Chief Probation Officer to execute agreement and amendments under certain conditions (\$2,598,608) - All Districts R99-476

42351 **APPROVED AS RECOMMENDED**

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## GENERAL ADMINISTRATION

### County Executive Office:

- 65 . Authorize release of a Request for Proposal for provision of Information and Technology services; authorize negotiation of four month extension with Lockheed Martin IMS and GTE Customer Networks of current Data Center and Telecommunications operation agreements - All Districts (Continued from 10/19/99, Item 30; 11/2/99, Item 35; 11/9/99, Item 21)  
21345 **APPROVED AS RECOMMENDED**
- 66 . Receive report and consider OCRAA Membership - All Districts (Continued from 11/9/99, Item 34)  
12345 **APPROVED AS RECOMMENDED IN CHAIRMAN SMITH'S LETTER DATED**  
N N **11/23/99 WITH MODIFICATION TO RA 3 TO APPROVE EXPENDITURES FROM**  
**14M LOCAL REDEVELOPMENT AUTHORITY FUND NOT TO EXCEED \$176,000**  
**TO FUND THE SUBMITTED SCOPE OF WORK, AND AUTHORIZE THE CEO TO**  
**APPROVE PAYMENTS**
- 67 . Approve amended price agreement N0000000596 with Xerox Business Services for maintenance, support and supplies necessary for operation of high speed laser printers located in the County Data Center, Santa Ana, 10/26/99 - 10/25/00 (\$390,000; new total \$1,928,189); renewable for one additional year - All Districts  
42351 **APPROVED AS RECOMMENDED**
- 68 . County Executive Office/ Health Care Agency - Adopt resolution approving Restructuring Plan for Health Care Agency and establishment of Early Retirement Incentive Program; approve related budget adjustments and amend master position control - All Districts  
35241 **APPROVED AS RECOMMENDED** R99-477
- 69 . Receive and file County Executive Officer's report on "An initiative which would require that two-thirds of the voters voting in a County general election ratify any County action to approve any new or expanded jail, hazardous waste landfill or civilian airport project"; and either adopt the initiative as an ordinance or order placement of the initiative on the ballot for the next statewide election, consolidating it with the election to be held on March 7, 2000 - All Districts (Continued from 11/2/99, Item 54)  
15234 **APPROVED RECOMMENDATIONS 1 AND 3**
- 70 . Approve proposed response to FY 1998-99 Grand Jury report "Land Lease Compliance in Dana Point Harbor" - All Districts  
52341 **APPROVED AS RECOMMENDED**

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## **EXTERNAL RESTRUCTURING PROGRAM FOR THE COUNTY OF ORANGE**

71. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the External Restructuring Program for the County of Orange. This month's status report also includes recommendations to:
- A. Receive report on transitional issues for the new city of Rancho Santa Margarita and the County of Orange.
  - B. Continue consultant services to assist with the Rancho Santa Margarita transition.

53241 **APPROVED AS RECOMMENDED**

## **ORANGE COUNTY CHILDREN AND FAMILIES FIRST COMMISSION**

72. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the Orange County Children and Families First Commission
- ORAL REPORT FROM MICHAEL RUANE, COUNTY EXECUTIVE OFFICE**

## **IV. PUBLIC HEARINGS (Items 73-76)**

### **HEALTH CARE AGENCY**

73. Public Hearing to consider adopting resolution rescinding Resolution 98-41, effective 12/31/99 and approve establishing a spay/neuter fee for canines adopted at the Orange County Animal Shelter, effective 1/1/00; approve implementation of mandatory fine structure imposed under AB 1856 for impounding of unaltered animals and a deposit fee of \$40.00 for animals released without being sterilized and make California Environmental Quality Act findings - All Districts

31245 **CONTINUED TO 12/7/99, 9:30 A.M.**

## **PLANNING AND DEVELOPMENT SERVICES**

74. Public Hearing to consider adopting "An Ordinance of the County of Orange, California, Adopted Pursuant to the State Planning and Zoning Laws, Amending the Santa Ana Heights Specific Plan Land Use District Map by Rezoning Certain Land from Residential Equestrian to Business Park Per Zone Change 99-03"; and adopting resolution approving zone change ZC99-03 and community profile amendment CPA99-02 filed by Saybro Investments, LLC proposing to construct a 3-story office building, Birch St., Santa Ana Heights - District 5

B.O. **CLOSED PUBLIC HEARING**

R99-479

O99-23

52341 **APPROVED AS RECOMMENDED**

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75. **Acting as the Board of Supervisors and the Orange County Development Agency** - Adopt resolutions vacating public road easement with conditions; adopt resolutions approving sale of county owned property to facilitate a professional office project in Santa Ana Heights Business Park; approve Owner Participation, Disposition and Development agreement with Saybro Investments, LLC; make California Environmental Quality Act and other findings; and authorize Director to execute all necessary documents - District 5

B.O. CLOSED PUBLIC HEARING

52341 **APPROVED AS RECOMMENDED**

76. **Acting as the Board of Supervisors and the Orange County Development Agency** - Adopt resolutions approving sale of County owned property to facilitate a professional office project in Santa Ana Heights Business Park; approve Owner Participation, Disposition and Development agreement with Acacia Business Park, LLC; make California Environmental Quality Act and other findings; and authorize Director to execute all necessary documents - District 5 R99-483-484

B.O. CLOSED PUBLIC HEARING

52341 **APPROVED AS RECOMMENDED**

## **V. CLOSED SESSION (Items CS-1-SCS2)**

## GENERAL ADMINISTRATION

- CS-1. **County Executive Office - CONSULTATION WITH LEGAL COUNSEL - THREAT TO PUBLIC SERVICES OR FACILITIES:** County Executive Office requests a closed session for the Board of Supervisors to consult with Sheriff-Coroner Michael Carona, or his designee, pursuant to Government Code Section 54957 - All Districts

B.O. **DELETED**

- SCS2. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: County of Orange, Debtor, Bankr. Case No. SA 94-22272JR - All Districts

B.O. HELD; THE CHAIRMAN REPORTED THE FOLLOWING: PURSUANT TO GOVERNMENT CODE SECTION 54956.9, THE BOARD MET IN CLOSED SESSION WITH LEGAL COUNSEL TO DISCUSS THE CASE LISTED ON TODAY'S AGENDA AS SCS-2. BY UNANIMOUS VOTE, THE BOARD AUTHORIZED COUNTY COUNSEL TO ENTER INTO A STIPULATION THAT THE COUNTY IS WILLING TO WAIVE ITS RIGHT TO APPEAL, OTHERWISE CHALLENGE, OR SEEK RECONSIDERATION OF THE NOVEMBER 10, 1999 FEDERAL DISTRICT COURT ORDER AWARDING THREE MILLION DOLLARS AS ADDITIONAL FEES TO THE LAW FIRM OF HENNIGAN, MERCER AND BENNETT, THEREBY FACILITATING PROMPT DISTRIBUTION OF FUNDS TO CLAIMANTS PURSUANT TO DIRECTIONS OF THE BANKRUPTCY COURT IN CASE NO. SA 94-22272 JR. THE BOARD TOOK NO OTHER REPORTABLE ACTION IN CLOSED SESSION.

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## VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

### PUBLIC COMMENTS:

Charles Griffin - Oral RE: Reduced noise impact of new Boeing 717 aircraft

### BOARD COMMENTS:

### ADJOURNMENT 2:08 P.M.

53241    ADJOURNED IN MEMORY OF TOM STAMP

51234    ADJOURNED IN MEMORY OF CAMERON JAMES BROWN

21345    ADJOURNED IN MEMORY OF STEVEN LANG

\*\*\* KEY \*\*\*

#### *Left Margin Notes*

- 1. v Chairman Smith
- 2. v Supervisor Silva
- 3. v Supervisor Spitzer
- 4. v Supervisor Coad
- 5. v Supervisor Wilson

#### *Right Margin Notes*

- A. v Abstained
- X. v Excused
- N. v No
- BO v Board Order
- O. v Ordinance
- R. v Resolution

*Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)*

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CHARLES V. SMITH, CHAIRMAN  
Orange County Board of Supervisors

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SUSAN NOVAK, Assistant  
Orange County Clerk of the Board